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LATHAM & WATKINS LLP

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2007 MAY 16 P 3:33

FILED/ACCEPTED

April 18, 2007

RECEIVED APR 18 2007

BY HAND

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

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Re: Time Warner Cable Section 63.71 Discontinuance Application

Dear Ms. Dortch:

Enclosed on behalf of Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable ("Time Warner Cable"), please find an original and five (5) copies of a Section 63.71 Application to discontinue the provision of circuit-switched domestic telecommunications services to customers in the Garland, Texas area.

Please stamp and return to me the copy provided for that purpose. Should you have any questions regarding this filing, please do not hesitate to contact me.

Truly yours,



Stefanie Alfonso-Frank
Counsel for Time Warner Cable

Attachment

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILED/ACCEPTED
APR 18 2007

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Section 63.71 Application of Time Warner)
Cable Information Services (Texas), L.P.)
d/b/a Time Warner Cable)
for Authority to Discontinue)
Certain U.S. Domestic Telecommunications)
Services)

WC Docket No. _____

SECTION 63.71 APPLICATION

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable ("Time Warner Cable") hereby requests authority pursuant to Section 214(a) of the Communications Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of circuit-switched domestic telecommunications services to customers in the Garland, Texas area.¹

Time Warner Cable currently provides circuit-switched local exchange and toll services to residential customers. While Time Warner Cable intends to offer alternative packet-switched services, Time Warner Cable recognizes that some customers may switch to other providers.

The Applicant request that the Commission accept the instant application for streamlined treatment.

Time Warner Cable provides the following information in support of this Application pursuant to Section 63.71 of the Commission's rules:

¹ The instant application applies only to circuit-switched services offered by Time Warner Cable. Nothing herein should be construed to imply that other services provided by Time Warner Cable or Time Warner Cable Inc. constitute "telecommunications services."

I. SECTION 63.71(A)(1)-(4) INFORMATION

A. Name and address of carrier:

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable
290 Harbor Drive
Stamford, CT 06902

B. Date of Planned Service Discontinuance:

Time Warner Cable plans to discontinue the above-referenced services on or after June 20, 2007.

C. Geographic Areas Affected:

Affected customers are located in Garland, Texas.

D. Brief description of type of service affected:

Time Warner Cable seeks authority to discontinue the provision of certain U.S. domestic circuit-switched local services in the Garland, Texas area. Approximately 5,112 customers will be affected.

II. NOTIFICATION REQUIREMENTS

Time Warner Cable notified all affected customers of this proposed discontinuance by letter on April 12, 2007. The customer notice letter is attached **as Exhibit A**. The notifications informed customers of the discontinuance of the circuit-switched service offering and informed them of the new, packet-switched offer, in addition to the other local service providers offering service in the area. Follow-up notices will be sent to customers before the final date for termination of this service. All notifications included the content required by Section 63.71(a).

Time Warner Cable certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governor of the State of Texas, the Public Utility Commission of Texas, and also to the Special Assistant for Telecommunications to the Secretary of Defense, **as** required by Section 63.71(a).

111. **REGULATORY STATUS**

Time Warner Cable is **regulated** as a non-dominant *carrier* with *respect to the services* that it seeks authority to discontinue.

IV. CONCLUSION

Neither the present nor future public convenience and necessity will be adversely affected by this proposed termination of service. Customers have been provided adequate notice, and the public has access to comparable domestic telecommunications services offered at competitive prices bc it **an** alternative service **from** Time Warner Cable or another service provider.

For the reasons discussed above, Time Warner Cable respectfully requests, pursuant to Section 214(a) of the Act and Section 63.71 of the Commission's rules, that the Commission approve its Section **63.71** Application to discontinue certain services **lo** customers in the Garland, **Texas** area,

Respectfully submitted,

Matthew **A.** Brill
LATHAM & WATKINS LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, D C. 20004

Its Attorney


Julie Y. Patterson
Vice President & Chief Counsel, Telephony
TIME WARNER **CABLE**
290 Harbor Drive
Stamford. CT 06902

April 18, 2007

CERTIFICATE OF SERVICE

I hereby certify that, I, Drew Svor, on this 18th day of April **2007**, caused copies **of** the foregoing Section **214** and Section **63.71** Application to be served upon the parties listed below by hand-delivery (designated by **an** asterisk) or by first-class mail, postage prepaid.

Marlene H. Dortch *
Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite **110**
Washington, **D.C.20002**
(original + 5 copies)

The Honorable Rick Perry
Governor of the State of Texas
Office of the Governor
P.O. Box **12428**
Austin, Texas **78711-2428**
(1 COPY)

Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box **13326**
Austin, Texas **78711-3326**
(1 COPY)

Secretary of Defense
Attn: Special Assistant for Telecommunications
The Pentagon
Washington, D.C. **20301**
(1 COPY)



Drew Svor

EXHIBIT A

CUSTOMER NOTICE LETTER



P.O. Box 630068
Irving, TX 75063

April 12, 2007

**IMPORTANT INFORMATION ABOUT
YOUR TELEPHONE SERVICE.
PLEASE READ IMMEDIATELY!**

Para traducción en español, favor de llamar
Call 1-877-305-8954

DISCONTINUANCE OF TRADITIONAL TELEPHONE SERVICE

Thank you for being a valued Time Warner Cable customer. This letter is **to** inform you that Time Warner Cable is embarking upon a change to its telephone service offerings and plans **to** stop offering in your **area** the specific local telephone **service** to which you **currently** subscribe. This means **that your current** local Time Warner Cable local telephone **service** will be discontinued **on** or immediately after June **19, 2007**.

You continue to have a choice for local telephone **service**, and you **are free to** choose your new provider of service. As a **sub-**scriber to Time Warner Cable's existing telephone service, however, you have the opportunity **to be among** the first in the Dallas area **to** experience the simplicity, convenience and value of our new and improved residential home phone service, Digital Phone. With Digital Phone service, you won't have **to worry** about complicated calling plans or calling **rates** that fluctuate based **on** the time of day you call. You'll enjoy unlimited calling from home for one low monthly price. And unlimited really means unlimited—you'll have the **freedom to** call anyone, anytime, anywhere throughout Texas, the U.S., Canada and Puerto Rico, and the monthly price **won't** change.

Be one of the first to switch and enjoy all these benefits:

- Keep your same phone number
- Caller ID, Call Waiting, Speed Dial, Call Forwarding and more at **no** extra charge
- **Fire** and easy **installation - works with** existing **phones** and **jacks** and you **don't have to** purchase any new equipment
- 30-day money-back guarantee
- No long-term contracts
- Compatibility with phone-based security systems, including ADT alarm systems
- *Enhanced **9-1-1—with E9-1-1, your home address and telephone number are** automatically sent **to** your local dispatcher if you call **9-1-1**



SPECIAL OFFER

To thank you for being a loyal customer of our **current** telephone service, we **are** offering you Digital Phone service for just **\$19.95 per** month for the **1st** three months., with free installation. But **hurry**, this special introductory offer ends **on** June **19, 2007**. The switch for you is simple—you **don't** have **to** purchase **any** equipment or **even** change your number; just choose one of the following two great Digital Phone plans:

- **Digital Phone Unlimited—Unlimited** calling **to** anyone, anywhere, anytime in Texas, the U.S., Canada and Puerto Rico for **\$19.95 per** month for the first **three** months' (regularly **as low as \$39.95** per month). Installation is free.
- **Unlimited Texas Calling (In-State)—Unlimited** calling **to** anyone, anywhere, anytime in Texas for **\$19.95 per** month for the first **three** months* (regularly **as low as \$29.95** per month). Installation is free.

We **are** confident you'll agree **that** Digital Phone is a simple and easy solution **to** your local, **in-state** and **long** distance calling needs. To **prove** it, your installation is **absolutely** free for whichever plan you choose. You'll have the added convenience of

receiving one bill for Road Runner High Speed online, Cable and Digital Phone service. And, of course, it's from Time Warner Cable—a company you can count on. Make the easy switch to Digital Phone service today and start enjoying unlimited calling!

You may transfer your current service to the Digital Phone service today by calling Time Warner Cable toll free at 1-877-305-8954. If you do so, you will receive Digital Phone for \$19.95 for the first three months* and will have installation provided at no extra charge.

In addition, you have the option of purchasing local telephone service from other service providers in your area. Regardless of your choice, we urge you to act quickly to transfer your service to Digital Phone or to select a new service provider in order to retain your current telephone number.

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the § 63.71 Application of (carrier's name). Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

CONVERTING YOUR LOCAL AND LONG DISTANCE TELEPHONE SERVICE

If you wish to select Time Warner Cable Digital Phone service, you can call our customer service representatives at 1-877-305-8954. Please follow these simple steps to convert your local telephone service to another provider:

1. Select a local provider from your local telephone book, which should contain a list of local providers in your area. If you make no choice, your service will be disconnected on or about June 19, 2007.
2. Select the long distance provider of your choice
3. Call your new service provider to:
 - Request local telephone service.
 - Choose a new long distance service provider.
 - Get the installation date when your new service will be active
4. Call Time Warner Cable at 1-877-305-8954 to complete your service conversion. Our Customer Service professionals will help you:
 - Complete a Disconnect Order
 - Review your final Time Warner Cable local telephone service bill. Any deposits or credits will be returned to you within 30 days of your final disconnection.

TAKE ACTION NOW

Please take immediate action to convert your local telephone service to a provider of your choice. If you do not transfer your service to Time Warner Cable's Digital Phone or to a new service provider by June 19, 2007, your service will be terminated and you may not be able to retain your current telephone number. Please take action now to avoid interruption in your service.

If you have questions, please call Time Warner Cable Customer Service at 1-877-305-8954.

Sincerely,

Time Warner Cable
North Texas Division

*Offer ends June 19, 2007. \$19.95 offer applies to either Digital Home Phone Unlimited plan or Unlimited Texas (In-State) plan for the first three months. Regular pricing applies after three-month promotional period. Offer valid only for current residential Time Warner Phone (Switch Circuit) customers who switch to new Digital Home Phone service. \$39.95 (Unlimited) & \$29.95 (Texas In-State) Digital Home Phone service monthly rates are based on bundled discounting for customers subscribing to Standard Cable or above and Road Runner High Speed Online. 30 day money back guarantee includes monthly recurring phone charges only. Digital Phone does not include back-up power and, as in the case with an electric-powered home cordless phone, should there be a power outage, Digital Phone, including the ability to access 9-1-1 services, will not be available. Digital Phone is available to residential customers in upgraded Time Warner Cable serviceable areas only. Additional charges apply for taxes, fees, Directory Assistance, Operator Services, out of state calls (for Texas In-State plan customers) and calls to international locations (excluding Canada for Unlimited plan customers.) Prices subject to change. All services may not be immediately available in all areas. Some restrictions apply. Subscription to Cable, Road Runner and/or Digital Phone and related add-on products is subject to credit verification and approval. ©2007 Time Warner Cable, Inc. All Rights Reserved.

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